

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31907 of 2017

Arising Out of PS.Case No. -38 Year- 2017 Thana –KAHALGAON (Ghogha) District- BHAGALPUR
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Jay Prakash Mandal, son of Sitaram Mandal, resident of Village- Kodwar,
P.S. Ghogha (Kahalgaon), District- Bhagalpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Anupa Nand Jha, Advocate.

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 13-07-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 24.04.2017 in connection with Kahalgaon (Ghogha) P.S. Case No. 38 of 2017 for the offences alleged under Sections 147, 148, 149, 353, 337, 338, 332, 333, 307, 504, 506, 224 and 225 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated in an F.I.R. instituted against 12 named persons including the petitioner and 50 to 60 unknown persons. There is neither any accusation nor injury to substantiate accusations under Section 307 of the Indian Penal Code. It is submitted that the petitioner is accused in two prior cases of different nature, in one of which he has already been granted bail by the learned court below and his bail petition in the other case is pending before this Court.

4. Be that as it may, having regard to the entirety of



the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur, in connection with Kahalgaon (Ghogha) P.S. Case No. 38 of 2017, on the following conditions:-

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) The petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Vikash Jain, J)

Md. Ibrarul/-

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